

Everytown for Gun Safety Support Fund et al. v. Bureau of Alcohol, Tobacco, Firearms
and Explosives et al., No. 21-CV-00376

Dear Judge Carter:

Pursuant to Your Honor's Individual Rule 1.D, the parties in the above-captioned case jointly request an extension of the briefing schedule for early cross motions for summary judgment so ordered by Your Honor on March 22, 2021. (ECF No. 20.)

On April 23, 2021, Defendants produced the administrative record to Plaintiffs. (ECF No. 23.) On April 26, 2021, the Court granted Defendants' motion to seal and for a protective order, and Defendants filed the administrative record on the docket. (ECF Nos. 28, 29.) Since then, Plaintiffs have conferred with Defendants and raised a concern that certain documents might be missing from the administrative record that was produced. On June 17, 2021, Defendants advised that they are conducting an email review, and will either confirm that the administrative record produced on April 23 is complete, or supplement the record as necessary. Defendants' counsel advised that the review will take several weeks to complete.

In light of the foregoing, the parties jointly request a 6-week extension of the briefing schedule, to ensure that Plaintiffs file their opening brief after receipt of the complete administrative record. Specifically, the parties have agreed to the following schedule, subject to the Court's approval: (a) Plaintiffs will file their motion for summary judgment by August 6, 2021 (adjourned from June 25, 2021); (b) Defendants will file their cross-motion for summary judgment and opposition by September 17, 2021 (adjourned from July 26, 2021); (c) Plaintiffs will file their reply and/or opposition in a single brief by October 15, 2021 (adjourned from August 27, 2021); and (d) Defendants will file their reply by November 5, 2021 (adjourned from September 17, 2021).

The parties respectfully request that the Court endorse their proposed extension of the briefing schedule.

Dated: June 21, 2021

CRAVATH, SWAINE & MOORE LLP

By

/s/ Benjamin Gruenstein

Benjamin Gruenstein
Sharonmoyee Goswami
Samantha Hall
Joseph H. Margolies

Worldwide Plaza
825 Eighth Avenue
New York, NY 10019
(212) 474-1000
bgruenstein@cravath.com
sgoswami@cravath.com
shall@cravath.com
jmargolies@cravath.com

EVERYTOWN LAW

Alla Lefkowitz
Molly Thomas-Jensen
Aaron Esty
Ryan Gerber

450 Lexington Ave.
P.O. Box #4184
New York, NY 10017
(646) 3234-8365
alefkowitz@everytown.org
mthomasjensen@everytown.org
aesty@everytown.org
rgerber@everytown.org

*Attorneys for Plaintiffs Kansas City, Missouri
and Everytown for Gun Safety Support Fund*

KWAME RAOUL
Attorney General of Illinois

by

/s/ Kathryn Hunt Muse

Kathryn Hunt Muse
Office of the Attorney General

100 West Randolph Street
Chicago, IL 60601
(312) 814-3000
Kathryn.muse@illinois.gov

Attorney for Plaintiff State of Illinois

AUDREY STRAUSS
United States Attorney for the
Southern District of New York

by

/s/ Jean-David Barnea

Stephen Cha-Kim
Jean-David Barnea
Assistant United States Attorneys

86 Chambers Street, Third Floor
New York, New York 10007
(212) 637-2768
stephen.cha-kim@usdoj.gov
jean-david.barnea@usdoj.gov

*Attorney for Defendants Bureau of
Alcohol, Tobacco, Firearms and
Explosives and Regina Lombardo in
her official capacity as Acting
Director of the Bureau of Alcohol,
Tobacco, Firearms and Explosives*